

Application No. 10/574,823

Paper Dated: July 2, 2008

In Reply to USPTO Correspondence of June 4, 2008

Attorney Docket No. 3135-061099

REMARKS

In the Office Action dated June 4, 2008, restriction was required between the following species:

Species I: directed to Figures 2, 3A-3C;

Species II: directed to Figures 4-5;

Applicant hereby elects Species I corresponding to claims 16-21, 23-25, 28, and 29 for further prosecution with traverse. Claims 16-18, 24 and 28 are generic to both Species.

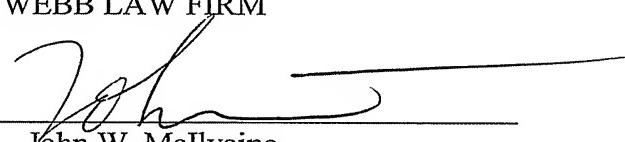
Applicant respectfully submits that Species I and II are linked to form a single general inventive concept, because both Species have multiple characteristic technical features in common. Such corresponding special technical features are listed in the claims readable on both Species. Species I and II, for example, have the same or corresponding feature with regard to an apparatus for displacing a person from a lateral recumbent position to a sitting position having engaging means coupled to force-transmitting means and being rotatable about a substantially horizontal axis. Thus, the Species are linked to form a single general inventive concept and the restriction is therefore improper.

In view of the foregoing, reconsideration of the restriction requirement is respectfully requested.

Applicant reserves the right to file a divisional patent application on the non-elected species.

Respectfully submitted,

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